

### **REMARKS/ARGUMENTS**

This Amendment is filed in response to the Office Action mailed November 23, 20008. Claim 1 has been amended and claims 2-6 are unchanged. Claims 7-27 remain withdrawn. Following entry of this Response, claims 1-6 shall be pending for examination.

In the Office Action, claims 1-6 have been rejected based on prior art grounds. The applicant hereby requests reconsideration of the currently pending claims in view of the amendments and remarks set forth below.

**I. REJECTIONS UNDER 35 USC 102(e) AS BEING ANTICIPATED BY U.S. PATENT NO. 6,752,813 GOLDFARB**

Claims 1-6 were rejected under 35 U.S.C. 102(e) as being anticipated by *Goldfarb*. The Examiner asserts that “*Goldfarb* discloses a method of reinforcing a native valve (LV) comprising implanting a reinforcing support to at least one valve leaflet, said support allowing a free edge of the at least one valve leaflet to form a seal with free edges of adjacent leaflets during diastole...” *office action at page 2*.

During a telephonic interview with the Examiner on March 22, 2009, the Examiner agreed that by amending claim 1 to recite that the support is positioned away from free edges of the valve leaflet, the claimed invention is distinct and not anticipated or rendered obvious by *Goldfarb*. The Applicant thanks the Examiner for the interview and has accordingly amended claim 1, distinguishing the claimed invention over *Goldfarb*.

Applicants submit that *Goldfarb* does not anticipate the presently claimed invention. As such, withdrawal of the present rejection and an indication of allowability of claim 1 are respectfully requested.

Further, dependent claims 2-6 depend from allowable claim 1 and are allowable for at least the same reasons. However, these claims further define and describe the present invention and are patentable over and above amended claim 1. Therefore, claims 2-6 are also allowable and thus withdrawal of the present rejection and an indication of allowability of claims 2-6 are also respectfully requested.

**CONCLUSION**

In view of the foregoing, it is demonstrated that *Goldfarb* does not currently anticipate pending claims 1-6. Thus, it is respectfully requested that the Examiner withdraw all of the rejections and issue a Notice of Allowance of all claims.

If for any reason direct communication with Applicant's attorney would serve to advance prosecution of this case to finality, the Examiner is cordially urged to call the undersigned attorney at the below listed telephone number.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 50-2809.

Respectfully submitted,

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